

REMARKS

Claims 1 through 31 were presented for examination in the present application. The instant amendment cancels claims 23 through 31 without prejudice and adds new claims 33 through 37. Thus, claims 1 through 22 and 33 through 37 are presented for consideration upon entry of the instant amendment.

Applicants affirm the election of the invention of Group I, which reads on claims 1 through 22.

Claims 1, 3-6, 8-11, 14, 19, and 20 were rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,543,775 to Huck (Huck). Claims 1-6, 11, 14, 17, and 18 were rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,451,548 to Hunt (Hunt). Claim 7 was rejected under 35 U.S.C. §103 over Hunt in view of *the Handbook of thin film technology* (the *Handbook*). Claim 21 was rejected under 35 U.S.C. §103 over Huck in view of U.S. Patent No. 4,964,495 to Calhoun (Calhoun).

Applicants respectfully traverse these rejections.

Independent claim 1 requires, in part, the step of “depositing an evaporation-coating glass (emphasis added).” Similarly, independent claim 3 requires, in part, the step of “depositing an hermetic evaporation-coating glass layer on the first coating(emphasis added).”

The present application discloses that: “In the context of the present invention, an evaporation-coating glass is to be understood as meaning a glass comprising an at least binary system of materials which can be deposited on a surface by evaporation coating (emphasis added).” See page 4, lines 27-30.

It is respectfully submitted that Huck and Hunt do not disclose or suggest the evaporation-coating glass of independent claims 1 or 3.

Huck discloses deposition of an  $\text{SiO}_x$ -layer onto a platinum layer. However, the  $\text{SiO}_x$ -layer of Huck clearly does not have an at least binary system of materials as in the evaporation-coating glass required by claims 1 and 3.

Similarly, Hunt discloses evaporation coating of a substrate with a  $\text{Ga}_2\text{O}_3$ -film. However, the  $\text{Ga}_2\text{O}_3$ -film of Hunt is neither glass-like nor is it an at least binary system as in the evaporation-coating glass required by claims 1 and 3.

The Office Action asserts that the *Handbook* discloses photoresist films having a specific range of thicknesses. However, the *Handbook* does not disclose or suggest the evaporation-coating glass required by claims 1 and 3. Further, the Office Action asserts that Calhoun discloses that during evaporative coating it is desirable to move the substrate. However, Calhoun also does not disclose or suggest the evaporation-coating glass required by claims 1 and 3.

Accordingly, it is respectfully submitted that neither Huck nor Hunt alone, or in combination with the *Handbook* and/or Calhoun, disclose or suggest claims 1 or 3, or claims 2 and 4 through 22 that depend therefrom. Reconsideration and withdrawal of the rejections to claims 1 through 22 over Huck and Hunt, alone or in combination with the cited combination of the *Handbook* and Calhoun, are respectfully requested.

Claims 1, 3-6, 11-15, and 22 were rejected under 35 U.S.C. §102(e) over U.S. Publication No. 2002/0084885 to Wienand et al (Wienand). Claim 16 was rejected under 35 U.S.C. §103 over Wienand.

Applicants also respectfully traverse these rejections.

Independent claim 1 recites in part, "depositing an evaporation-coating glass."

Again, the present application discloses that: "In the context of the present invention, an evaporation-coating glass is to be understood as meaning a glass comprising an at least binary system of materials which can be deposited on a surface by evaporation coating (emphasis added)." See page 4, lines 27-30.

Wienand discloses a resistance layer 1 that is surrounded on the side facing away from the substrate 2 by a diffusion barrier 10 as an intermediate layer, wherein this layer is in turn covered by an outer covering layer as a passivation layer 3 made of glass. See paragraph [0036]. In addition, Wienand discloses that the sensor is accomplished by, in pertinent part, applying the passivation layer 3 using screen printing. See paragraphs [0048] through [0054].

Clearly, the passivation layer of Wienand that is screen printed does not disclose or suggest the step of depositing an evaporation-coating glass as required by claim 1. Therefore, claim 1 is believed to be in condition for allowance. Reconsideration and withdrawal of the rejection to claim 1 over Wienand are respectfully requested.

Independent claim 3 requires "depositing an hermetic evaporation-coating glass layer on the first coating".

Again, the passivation layer of Wienand is screen printed and, thus, clearly does not disclose or suggest the step of depositing hermetic evaporation-coating glass layer as required by claim 3. Therefore, claim 3, as well as claims 4 through 6, 11 through 15, and 22 that depend therefrom, are believed to be in condition for allowance. Reconsideration and withdrawal of the rejection to claims 3 through 6, 11 through 15, and 22 over Wienand are respectfully requested.

Claims 33 through 37 have been added to point out various aspects of the present application. It is submitted that new claims 33 through 37 are directed to the

elected proces of Group I. Support for new claims 33 through 37 can be found at in original claims 1 through 32, as well as in the specification at least at page 16, lines 5-10.

It is believed that new claims 33 through 37 are in a condition for allowance. For example, independent claim 33 requires the step of "depositing an evaporation-coating glass in structured form a metallic surface of a solid metal substrate (emphasis added)". Independent claim 34 requires, in part, the step of "producing a negatively structured first coating on a metallic surface of a solid metal substrate (emphasis added)".

Wienand discloses a resistance layer 1 located on a carrier 2 made of aluminum oxide ceramic. See paragraph [0036].

Huck discloses a structured platinum surface or film 1, 2, 3 applied to a substrate 5. The substrate 5 can be glass. See col. 3, lines 47-59. The substrate 5 can also be ceramic. See col. 4, lines 15-17.

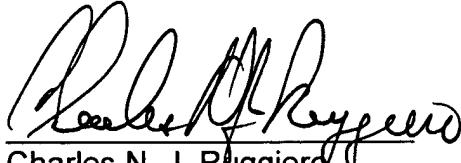
Hunt discloses evaporation coating of a semiconducting substrate with a  $\text{Ga}_2\text{O}_3$ -film. See col. 2, lines 30-32.

Accordingly, it is submitted that the cited art does not disclose or suggest the solid metal substrate of claims 33 and 34. Therefore, claims 33 and 34, as well as claims 35 through 37 that depend from claim 34, are believed to be in condition for allowance.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



Charles N. J. Ruggiero  
Reg. No. 28,468  
Attorney for Applicant(s)  
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.  
One Landmark Square, 10<sup>th</sup> floor  
Stamford, CT 06901-2682  
Tel: (203) 327-4500  
Fax: (203) 327-6401

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